

### REMARKS

Claims 1-20 and 25-31 are pending. Non-narrowing amendments have been made to claim 1 directed to matters of form only. Claim 13 has been amended to indicate that the carrying out of a second process in response to a received command of the second type, in preference to the carrying out of a first process in response to a command of the first type, occurs only when execution of the command of the second type is enabled. Claims 21-24 have been canceled and replaced by claims 28-31 respectively, and the dependencies of claims 25 and 26 have been amended accordingly. The specification has been amended to correct obvious grammatical errors and to improve its form. No new matter has been added. Reconsideration is respectfully requested in light of these amendments and the remarks set forth below.

Initially, applicants point out that they filed an Information Disclosure Statement (IDS) citing six (6) documents along with the application. To date, however, that IDS has not been considered. Accordingly, applicants respectfully request that this IDS and the information cited therein be considered and that a copy of the Form PTO-1449 be initialed and returned indicating that such information has been considered.

Turning now to the art rejections, claims 1-4, 8-17 and 19-27 have been rejected under 35 U.S.C. § 102(e) based on U.S. patent 5,594,653 to *Akiyama et al.* (*Akiyama*). Claims 5-7 and 18 stand rejected under 35 U.S.C. §103(a) based on *Akiyama* in view of U.S. patent 6,453,208 to *Miyasaka et al.* (*Miyasaka*). *Akiyama* is directed to a printer that can interpret control commands even when in an off-line state, and that can also determine the cause of the off-line state and so notify the host. Referring to Fig. 5 of *Akiyama*, a receiver 62 in the printer receives control commands and print data from the host 61. A real-time command interpreter 64 is provided for interpreting the real-time commands as they are received. The remainder of the received data and commands are passed through to a receive buffer 65 where they are temporarily stored. Command interpreter 66 reads the stored information and separates it into print data and command data. A real-time process executing section 73 executes processes corresponding to the real-time commands with a higher priority than another

processing section 68 executes processes corresponding to the other (non-real-time) commands. Command interpreter 66 stops whenever a wait (disabled) state is encountered, but real-time command interpreter 64 continues to operate irrespective of a wait state. Thus, in *Akiyama*, the execution of the command type having the higher priority is performed without regard to a wait state, but the execution of the command type having the lower priority is performed only when under certain conditions, e.g., cut-sheet form is detected or wait state is removed.

Applicants' invention of claim 1 is just the opposite. Claim 1 recites that the second processing section executes a second process in accordance with any command of the second type, and that the execution of such process is performed in preference to the execution of a first process by a first processing section. Moreover, the claim states that the second processing section performs the second process only if the printer is in an enabled state. Independent method claim 13 contains similar recitations in steps (c) and (d). Thus, the execution of a process corresponding to the command type having the higher priority is performed only when the printer is in an enabled state, but the execution of the command type having the lower priority is not subject to that condition.

This difference stems from the fact that the present invention and that of *Akiyama* are directed to solving different problems. The present invention is concerned with distinguishing between false real-time commands and true real-time commands in a data stream, so only the latter are executed. In contrast, *Akiyama* is concerned with enabling real-time commands to be interpreted even in an off-line state.

As for the secondary reference, *Miyasaka*, it describes an arrangement that builds on the invention of *Akiyama* by providing a printer with a command detector to detect specified command data within the received command data and an error recovery controller to enable the printer to recover from an error state in accordance with the detected specified command data. However, *Miyasaka* does not overcome the shortcomings of *Akiyama* as a reference against the present invention.

In the other independent claim in the present application (claim 28) a data stream containing a command for transmitting image data to the printer is checked to determine if it contains a first predetermined command, e.g., a false real-time command. If so, a second predetermined command, e.g., an RTP disable command, is sent to the printer so as to disable execution of any first predetermined command, and then the data stream is sent to the printer. By employing this process, false-real time commands embedded in a data stream of a normal print command are detected as such and then not executed when the data stream is sent. Neither *Akiyama* nor *Miyasaka*, taken alone or in combination, teach such an arrangement.

In view of the foregoing amendments and remarks, applicants respectfully submit that each of the claims 1, 13 and 28 is patentably distinguishable over the combination of *Akiyama* and *Miyasaka*. The remainder of the claims, which present additional features of the invention, are patentable for at least the same reasons as their corresponding independent claims. Accordingly, favorable reconsideration of the present application is respectfully requested.

Respectfully submitted,

*Michael T. Gabrik*

Michael T. Gabrik  
Registration No. 32,896

Please address all correspondence to:

Epson Research and Development, Inc.  
Intellectual Property Department  
150 River Oaks Parkway, Suite 225  
San Jose, CA 95134  
Phone: (408) 952-6000  
Facsimile: (408) 954-9058  
Customer No. 20178

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